

ORDER BELOW EXH.1

1- Perused the application and say. Heard Advocate for applicant and APP for the State.

2- This is first bail application filed under section 439 of Cr.P.C. by applicant in respect of his arrest in C.R. No. 406/19 registered at Talegaon Dabhade Police Station for the offence punishable under Section 354(D) of IPC and under section 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim aged about 14 years lodged report stating that applicant was following her when she was going to house from school on 18-03-2019. On 19-03-2019 also he followed her by red colour swift vehicle and proposed her. She frightened, then father of her friend and adjacent people gathered and applicant ran away. Applicant outraged modesty of victim.

3- According to applicant, he is falsely implicated in this matter. He is 21 years old and doing labour work. Investigation is practically over. Applicant is permanently resident of Taluka Maval, District Pune. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4- APP objected this application on the ground that investigation is in progress. Applicant harassed victim from time to time by following her. Applicant will repeat offence. Applicant will pressurize victim and witnesses. There is possibility of tampering

prosecution evidence and witnesses. So, he prayed to reject the application.

5- Allegations against the applicant are serious. Applicant is sufficiently interrogated. From statement of first informant i.e. victim role attributed to applicant can be gathered. She made allegations of stalking and sexual harassment by applicant. Considering nature of offence and allegations investigation is practically over, Personal custody of applicant is not required. Applicant is labourer. Applicant is resident of Taluka Maval, District Pune. Applicant has no criminal antecedents. No purpose would serve by keeping the applicant behind bar for unknown period. Due to all above reasons and as applicant is resident of Pune, application deserves to be allowed by imposing strict conditions with following order -

ORDER

- 1- The application is allowed.
- 2- The applicant Bhorya @ Raju Dattu Marathe be released on executing P.R. bond of Rs.20,000/- with one or two solvent sureties in the like amount.
- 3- The applicant shall not tamper the prosecution witnesses in any manner.
- 4- The applicant shall attend Talegaon Dabhade Police Station on every Monday between 11.00 a.m. to 2.00 p.m. till the charge-sheet is filed.
- 5- The applicant shall not harass the victim and threat and pressurize the victim. Applicant shall not repeat offence. Applicant shall not enter in the vicinity of residence of victim.

- 6- The applicant shall co-operate investigating machinery as and when required.
- 7- Prior to furnishing surety, the applicant shall submit his address proof, mobile number and inform about the change in address and mobile number.

Pune.
Date -08.04.2019

(R.V.Adone)
Addl.Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno	- U. S. More Steno Grade II
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 08.04.2019
Order signed by P.O.	- 08.04.2019
Order uploaded on	- 08.04.2019